UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

RICHARD CLARK, Case No. C-1-01-846

> Plaintiff. Judge Spiegel

VS. PLAINTIFF'S MOTION FOR

HAMILTON COUNTY, et al., EXTENSION OF TIME TO FILE

MEMORANDUM IN OPPOSITION

Defendants. TO DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT

MOTION

Comes now the Plaintiff, by and through counsel, and pursuant to Local Rule 7.3 of the Local Rules of the United States District Court for the Southern District of Ohio, respectfully moves this Court for four (4) day extension until Friday, February 6, 2004 to file a memorandum in opposition to the motions for summary judgment filed by defendants Correctional Medical Services ("CMS") and Helen Kohn (Doc 15) and Hamilton County and Simon Leis, Jr. (Doc. 28). Counsel for defendants CMS and Kohn has indicated that he has no objection to the requested extension. Counsel for defendants Hamilton County and Leis was contacted but had not yet responded as of the filing of this motion. The grounds for this motion are more fully set forth in the following memorandum in support.

Memorandum in Support

Plaintiff's response to the defendants' motion for summary judgment is currently due on Monday, February 02, 2004. Despite the exercise of due diligence, the plaintiff will be unable to meet that deadline and requests an extension until Friday, February 6, 2004. This extension is not for the purpose of delay and is required to permit counsel to adequately prepare their memorandum in opposition to the defendants' motion. This extension is necessitated by two